

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friedrich et al.

Serial No.: 09/750,456

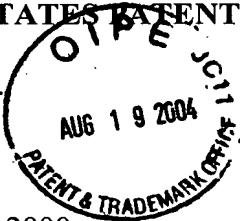
Filed: December 28, 2000

For: Novel Mutated Mammalian Cells and Animals

Group Art Unit: 1632

Examiner: A.M. Falk

Atty Docket No.: LEX-0286-USA



IFW AF
1632
✓

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF

Commissioner for Patents
Alexandria, VA 22313

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed April 13, 2004 ("Final Action"), finally rejecting claims 1 and 7. The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$165.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892.

A Petition for an Extension of Time of one month to and including August 13, 2004, and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(3) from Applicants' representatives Deposit Account are included. The Notice is thus timely filed, and Applicants believe no fees in addition to the fees for filing the Notice of Appeal and the extension fee authorized in the response to the Final Office Action are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to consider this document a petition, and charge any underpayment or credit any overpayment to Applicants' Representatives' Deposit Account No. 50-0892.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lance K. Ishimoto".

Lance K. Ishimoto
Attorney For Applicants

Reg. No. 41,866

August 13, 2004

Date

08/20/2004 HAL111 00000050 500892 09750456
01 FC:1401 330.00 DA

LEXICON GENETICS INCORPORATED
8800 Technology Forest Place
The Woodlands, TX 77381
(281) 863-3333

Customer # 24231